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C O N F I D E N T I A L SECTION 01 OF 03 KINSHASA 000381

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SUBJECT: POLITICAL VIEWS FROM BOTH SIDES

REF: KINSHASA 375 AND PREVIOUS

Classified By: PolCouns DBrown, reasons 1.4 b/d

¶1. (C) Summary: Following the March 22-23 violence, political feelings are running high. Reflecting Prime Minister Gizenga's views, his de facto chief of staff, Minister Godefroid Mayobo, strongly reaffirmed the need for a full trial of former Vice President Jean-Pierre Bemba. While fully accepting the need for an unfettered opposition, Mayobo asserted that Bemba had crossed a line. The Ambassador underscored the need to calm political tensions to enable the country to move forward, evoking the possibility of a Bemba exile. From Bemba's party, MLC senior officials Francois Mwamba and Thomas Luhaka pleaded for Bemba's life to be protected and for his "temporary" exile. They also, however, implicitly acknowledged that Bemba had often behaved irresponsibly, and implied that they may be ready to cut Bemba loose from his party. Our efforts with these and other officials continue to be to reduce immediate political tensions and help regain ground lost, moving toward a stable, democratic state. End summary.

Trying to look beyond Bemba

¶2. (C) The March 22-23 fighting essentially resulted in the defeat of Kinshasa forces loyal to former Vice President Bemba. While political tensions in the capital continue to run high, the immediate focus for many of Kinshasa's political class is on Bemba himself. It is widely known that Bemba has sought refuge in a South African embassy compound, but there is debate as to how he should be handled. Government hard-liners argue only the arrest and trial of a treasonous Bemba will do. Bemba does not seem to fully grasp his situation and seems to be maneuvering for continuing influence. For example, per several sources, Bemba has asserted to contacts that he wants and intends to continue to play a role in a "republican" opposition, but has also threatened that if he is forced into exile, members of his party would boycott parliament provoking a new political crisis.

¶3. (C) The Ambassador and PolCouns met March 27 with PM Gizenga's de facto chief of staff and primary political advisor, Minister Godefroid Mayobo, and separately with MLC Secretary General Francois Mwamba and senior party official

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Thomas Luhaka to review the current situation. Both meetings were part of our general efforts to help move beyond the crisis and restore an acceptable political process. In both meetings, the Ambassador stressed that the fighting

represented a setback to the DRC democratic process, but that the lost ground can be recuperated, depending on actions and decisions taken by both sides.

Mayobo: Government of law

¶4. (C) Gizenga and his inner circle are taking a hard line on the trial option. His stand, articulated in terms of principle: Bemba must face the consequences of his actions. It also appears, however, that Gizenga is smarting from Bemba's refusal to initiate any contact or even acknowledge Gizenga's authority as prime minister since the elections. Indeed, Bemba asserted to the visiting French Minister of Cooperation by telephone on March 24 after the fighting that he was the true winner of last year's presidential election, in essence denying that Gizenga had a legitimate mandate. Gizenga has also reportedly indicated to MONUC officials, and possibly others, that he is convinced that Bemba tried to assassinate him on Wednesday, May 21 (on the eve of the fighting) in an incident that appears to have been an auto accident, albeit one involving Bemba's brother.

¶5. (C) In his meeting with Mayobo, the Ambassador stressed that the overriding objective of all concerned should be the future of the DRC and the democratic process. While noting that he was not judging Bemba's guilt or innocence, the Ambassador stated that a trial or a long, drawn-out process risked further polarizing a large number of people and disrupting necessary reconciliation. He said that Bemba's continuing presence in the country is the subject of speculation and tension, even though at this point Bemba has no political future. He made a point of distinguishing Bemba's fate from the need to ensure that a responsible opposition is able to operate freely.

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¶6. (C) Mayobo readily agreed that a republican opposition should be allowed to operate freely, and indeed is part of a healthy democracy. He returned several times, however, to a legalistic argument. Bemba, he said, must be subject to the law, like anyone else. He did not regard this as a political question, but the consequences of Bemba's personal actions. Citing intelligence received two days before the fighting, Mayobo claimed that Bemba had a plan for violent action. He stated that Bemba had never recognized the country's new democratic institutions and went further to assert that Bemba was in fact attempting to mount a parallel force with the objective of making the country ungovernable.

¶7. (C) Mayobo stressed the challenge of building a government of law while many continue to act with impunity. He accepted that this was part of the landscape of the Transition, but that it could no longer be tolerated. He said the government risked losing credibility if it did not take action. He stated it would be "catastrophic" if there were no consequences to last week's violence. "If we can't take Bemba to trial," he asked, "what will we tell the victims?" He claimed that the population wants a trial and that few now support Bemba. He held out the possibility of an amnesty after trial, but emphasized: "Bemba has gone too far."

¶8. (C) The Ambassador reiterated the importance of finding ways to move forward that reinforce democracy. Mayobo said that a trial of Bemba would not be a threat to the MLC or the political opposition. The problem, he said, is Bemba and a small group around him who are driven by personal ambition, rather than a political position or point of view. He said it was important for political parties to distance themselves from Bemba's actions. The Ambassador stressed calming the political atmosphere and minimizing future confrontation to create the most favorable conditions to put the democratic process back on track.

¶9. (C) Meeting later the same day with the Ambassador, MLC Secretary General Mwamba and Executive Secretary Luhaka made

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it clear they felt that Bemba's "temporary" departure from the country is needed. During the course of the conversation, both implied that they were prepared to cut their ties to Bemba, and limited their appeals for Bemba to ensuring his physical safety. Mwamba, however, portrayed last week's violence as part of a larger effort to threaten the MLC and the opposition in general. Alleging looting and searches of MLC residences and offices and threatening phone calls to party members, he expressed strong concern that Kabila and his allies were attempting to eliminate the opposition. He said that he was hoping for a signal of government intentions, citing passage of legislation to reform the justice system as an example. He also raised the need to integrate troops of Kabila's large Republican Guard, which operates outside the regular military command structure.

¶10. (C) Luhaka said the country is facing a moment of truth. He claimed the government was attempting to decapitate the opposition by its moves against Bemba. He asserted that, unlike the government, the MLC had denounced the March 22-23 violence. He expressed concern that the government had shut down Bemba-owned and -allied broadcast stations. He called for sanctions against those responsible for looting.

¶11. (C) The Ambassador stated emphatically that tensions between Bemba and Kabila last week did not justify the subsequent fighting. He stressed that the key issue now is democracy and the future of the country. While readily agreeing with MLC assertions that a healthy democracy needs a vibrant and "republican" opposition, the Ambassador emphasized that such opposition also needs to be responsible, and on that score Bemba had often failed over an extended period of time. He noted that Bemba had made many errors and engaged in provocations that did not correspond to actions of a responsible, republican opposition. He cited appeals to hate that had been broadcast by Bemba-owned stations. He noted Bemba had on numerous occasions failed to live up to agreements reached, often brokered by the international community, and his maintenance of a de facto private army was simply unacceptable. The Ambassador agreed that Bemba alone was not responsible for the violence, but did bear substantial responsibility for it. He noted that press

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interviews Bemba was continuing to give despite promises to the contrary to his South African hosts were exacerbating tensions and did not help resolution of his situation.

¶12. (C) The Ambassador noted reported agreement in the National Assembly regarding allocation of committee officers and membership brokered by Assembly President Vital Kamerhe. These appeared to give the MLC significant influence, and the deal had been achieved by constructive negotiation. Mwamba and Luhaka both agreed, and spoke favorably of Kamerhe, and concurred that this was the kind of spirit of political dialogue that should carry forward. The two focused on a new pending proposed law regarding the official status of a political opposition, and the Ambassador agreed the subject would be an important signal for the future. The Ambassador charged, however, that for constructive dialogue to move forward, Mwamba and Luhaka and their party had some important decisions to make, and they should send some strong signals to the government, Congolese people, and international community that the MLC is ready to play the role of responsible political opposition. He also noted that the MLC's own interests would be served by seeking to bolster the influence of constructive interlocutors such as Kamerhe, and thus demonstrate political dialogue can yield positive and concrete results.

¶13. (C) The Ambassador emphasized he was not proposing particular solutions to the questions raised by last week's violence. But he stated that the preferred solutions would be those that were most favorable to recuperating lost ground and moving the democratic process forward.

Comment

¶14. (C) Neither the government nor the MLC has taken any responsibility for the actions of last week. It is difficult not to sympathize with the view that there should be some sort of legal sanction applied to Bemba. On the other hand, as Mayobo acknowledged, the Congolese justice system is essentially non-functional, and is certainly not viewed as impartial. Moreover, a trial of Bemba would effectively give the government a free pass for its actions last week and allow Bemba a pulpit to tie his ambitions to the political opposition itself. Fundamentally, the political calculus at this time may simply not be robust enough to deal with the pressures a trial would impose on a young democracy wounded by last week's violence. We do not believe Bemba has any political future in the DRC, at least not any time soon, even if Bemba himself has not yet realized this. Ideally, an understanding if not formal agreement will develop that will remove Bemba from the political equation while providing effective penalties that signal the limits to impunity for all sides. End comment.

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